

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
)	
)	Criminal Case No. 1:24-CR-003-01/13-SM-AJ-06
V.)	
)	
)	
Angela Demarco)	

DEFENDANT’S PARTIALLY ASSENTED MOTION TO
CONTINUE THE SENTENCING HEARING

Pursuant L.R.12.1(d), counsel for the defendant moves that this Honorable Court continues the Sentencing Hearing currently scheduled for July 8, 2025, at 11 a.m. for a period of approximately 60 days until September 8, September 9 or September 10, 2025, at a time convenient for the Court.

As grounds therefore, counsel states the following:

- 1) On November 6, 2024, the defendant pled guilty pursuant to a plea agreement.
- 2) During the plea hearing counsel for the government and the defendant alerted the Court that this case was likely to be disposed of through the LASER docket.
- 3) On November 6, 2024, counsel and the defendant met with LASER docket probation officer Daniel Whitmoyer for a presentence investigation report interview.
- 4) The defendant is on pretrial conditions of release involving drug treatment, counseling and reporting to probation officer Riaka McCormick.
- 5) On June 27, June 30, and July 1, 2025, counsel communicated with probation officer McCormick by email. Ms. McCormick suggested that Ms. Demarco would benefit from additional drug treatment and counseling prior to her sentencing hearing. Officer McCormick stated in part:
“Although she has submitted a few negative drug tests, in checking in with how she is doing in treatment at Eastpoint Recovery Centers a couple of weeks ago.....I don’t recommend she get into LASER at this time until she has graduated from IOP and has shown a longer period of sobriety/compliance.”
- 6) Ms. Demarco has agreed to undergo this treatment, she has completed a partial hospitalization program (PHP) and she is now continuing intensive outpatient (IOP) program. Ms Demarco has been in contact with supervising probation officer McCormick who

approves of this treatment plan.

7) Continuance of this matter will allow Ms. Demarco to continue her treatment and will allow the defense to make the most persuasive argument possible at the time of sentencing.

8) The parties, including probation, the defendant, and the government, are all hopeful that after completion of this additional treatment, Ms. Demarco will be accepted into the LASER docket program.

9) On July 1, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of the defendant Angela Demarco by email.

10) Probation Officer Riaka McCormick takes no position on this motion, but notes: “As far as a sentencing continuance, I don’t know if that’s my decision to make as her supervising officer about assenting to it, but I do recommend that she still needs treatment.”

The defendant is working diligently to continue her treatment prior to the sentencing hearing.

Respectfully submitted,

/s/ John V. Apruzzese # 268149

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L.R. 7.1(a) MEMORANDUM STATEMENT

A memorandum is not necessary for the proper disposition of this motion.

L.R. 7.1(c) STATEMENT OF CONCURRENCE

On, July 1, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of the defendant Angela Demarco by email. Probation Officer Riaka McCormick takes no position on this motion.

CERTIFICATE OF COUNSEL

Counsel certifies that: (A) counsel has consulted with the defendant about the requested continuance, (B) defense counsel has explained to the defendant that, by seeking a continuance, the defendant is waiving his constitutional and statutory rights to a speedy trial, (C) the defendant has personally assented to the continuance, and (D) defense counsel is forthwith mailing to the defendant a copy of the motion to continue.

Certificate of Service

I hereby certify that I served a copy of Counsel's Motion to Extend Time for the Sentencing Hearing pursuant to the CM/ECF system which was sent electronically to the registered participants on this day, July 2, 2025.

/s/ John V. Apruzzese # 268149
